

REMARKS

1. Summary of the Office Action and Status of the Claims

In the Office Action mailed September 10, 2009, claims 1-5 and 8 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,684,088 (Halahmi). Also, claims 6-7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Halahmi in view of U.S. Patent No. 6,928,266 (Nevo), and claims 9-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Halahmi in view of U.S. Patent No. 6,275,850 (Beyda).

Presently, claims 1-10 are pending, of which claim 1 is independent and the other claims are dependent, in one way or another, from claim 1. Claims 11-22 are cancelled.

2. Rejections under 35 U.S.C. § 102

Applicants believe that the rejections are in error, because Halahmi fails to teach each and every element of independent claim 1. In particular, Halahmi does not disclose the step of “determining whether to transform the information content at the server from the first data format to the second data format.” Furthermore, Halahmi also does not disclose performing this step “wherein the first data format does not involve the server applying cascading style sheet pre-processing to the information content, and the second data format involves the server applying cascading style sheet pre-processing to the information content.”

a. Overview of claim 1

Claim 1 is generally directed toward a method in which a server receives a message with information content in a first data format, and a determination is made *whether* to transform the information content from the first data format to a second data format before sending the information content to a client device.

In particular, the determination may be based on an efficiency with which the client device can process the information content when the information content is stored in the first data format versus when the information content is stored in a second data format, and the transmission capabilities of a wireless communication link associated with the client device. Furthermore, the first data format does not involve the server applying cascading style sheet (CSS) pre-processing to the information content, and the second data format involves the server applying CSS pre-processing to the information content.

b. Halahmi does not disclose determining whether to transform the information content at the server from the first data format to the second data format

Unlike claim 1, the Halahmi reference is generally directed to a system that receives an email message, but doesn't determine *whether* to convert the message from its original format to a different format before sending the message to a client device. Instead, Halahmi's system determines *how* to convert the message to a different format. To this point, Halahmi at col. 6, lines 10-18 states:

Once the e-mail message is received from e-mail server 20, fetch module 22 sends the received message to a conversion module 24. Conversion module 24 preferably converts the file format of the received message into a standard file format, such as XML for example, although alternatively, conversion module 24 may optionally convert the received message directly to the specific file format which is suitable for wireless communication device 12.

Thus, Halahmi teaches the process of (i) sending a message to a conversion module, and (ii) the conversion module converting the file format of the message into that of either a standard file format or a specific file format which is suitable for wireless communication device. In other words, Halahmi *requires* conversion of a message. This is inapposite to the subject matter of claim 1, as claim 1 recites a method in which information is *either* transformed to a different

format (the second data format of claim 1), *or* transmitted in the original format received by the system (the first data format of claim 1).

The office action stated that “[i]n column 6, lines 10-18, Halahmi ‘optionally convert[s] the received message directly to the specific file format which is suitable for wireless communication device 12.’ This is determining whether to transform information content at a server from a first data format to a second data format.” However, Applicants believe that the sentence fragment of Halahmi referred to in the office action has been taken out of context. In the full text of Halahmi’s col. 6, lines 10-18, as reproduced above, Halahmi never discloses *whether* to transform information content at a server from a first data format to a second data format. Instead, Halahmi prefers that the conversion module converts a message into a standard file format. However, Halahmi discloses that, as an alternative, the conversion module may optionally convert the received message directly to a specific file format suitable for a wireless communication device. Thus, regardless of which of Halahmi’s options are taken, Halahmi teaches that the message is converted into either a standard or specific file format.

Further, Halahmi’s teachings of transmitting email messages only after the email messages are converted appear throughout Halahmi. *See e.g., Halahmi at Figure 2, step 12 (“convert at least a portion of message”); col. 4, lines 50-51 (“the e-mail message is converted to a format which is suitable for display by the low bandwidth device”); col. 9, lines 1-4 (“the e-mail portion server converts at least a part of the e-mail message to WML...”)*. Additionally, Halahmi refers to dividing a message into two or more smaller messages for delivery (*see, e.g., Halahmi at col. 1, 8-15; col. 3, lines 10-22; Figures 5 and 6A*), but division of a message into smaller portions is yet another form of conversion. Applicants have not found any reference in

Halahmi to transmitting a message from Halahmi's server to a wireless communication device without at least some form of conversion.

Thus, by requiring conversion of email messages, Halahmi fails to teach, as recited in claim 1, determining whether to transform the information content at the server from the first data format (without conversion) to the second data format (with conversion). Instead, Halahmi always converts information content from a first data format to a second data format, and has no option to send information content in an untransformed data format.

For this reason alone, and without conceding any other assertions made in the Office Action, claim 1 is allowable over Halahmi.

- c. Halahmi does not disclose where the first data format does not involve the server applying cascading style sheet pre-processing to the information content, and the second data format involves the server applying cascading style sheet pre-processing to the information content**

Claim 1 is also allowable over Halahmi because Halahmi does not teach applying cascading style sheet (CSS) pre-processing to information content prior to transmitting the information content to a client device.

Claim 1 recites that the first data format does not involve the server applying cascading style sheet pre-processing to the information content, and the second data format involves the server applying cascading style sheet pre-processing to the information content. Thus, a threshold issue is whether Halahmi discloses this element of claim 1.

Halahmi mentions CSS in passing at col. 11, lines 55-57. In particular, Halahmi teaches a system that determines "the level of support, if any, which is provided by the microbrowser [on a client device] for HTML, CSS (cascading style sheets), WAP; and so forth." Otherwise, Halahmi is silent with respect to CSS.

This limited disclosure of CSS does not amount to Halahmi teaching a server applying, or not applying, CSS to information content before sending the information content to the client device in the first data format (without CSS applied) or the second data format (with CSS applied). For this reason as well, claim 1 is allowable over Halahmi.

d. Claims 1-5 and 8 are allowable over Halahmi

Halahmi does not disclose the step of determining whether to transform the information content at a server from a first data format to a second data format. Applicants submit that Halahmi does not anticipate claim 1 for this reason alone. In addition, Halahmi also fails to disclose wherein, for this step, the first data format does not involve the server applying cascading style sheet pre-processing to the information content, and the second data format involves the server applying cascading style sheet pre-processing to the information content. Thus, claim 1 is allowable over Halahmi based on these two separate and independent bases.

Moreover, dependent claims 2-5 and 8 are also allowable for at least the reason that they depend from allowable claim 1. Applicants do not concede any other assertions made in the office action that were not addressed herein.

3. Rejections under 35 U.S.C. § 103

Dependent claims 6-7 stand rejected over the combination of Halahmi and Nevo. Thus, a threshold issue of the patentability of claim 1 is whether Nevo makes up for Halahmi's deficiencies by disclosing the subject matter of claim 1 that is missing from Halahmi. Applicants submit Nevo does not.

Nevo is generally directed to a wireless device with multiple wireless transceivers, each arranged to use a different wireless protocol on overlapping frequencies. As far as Applicants can determine, Nevo is silent with respect to converting or transforming information content at a

server, as well as the use of CSS during this transformation. Thus, Applicants submit that Nevo does not disclose the step of “determining whether to transform the information content at the server from the first data format to the second data format.” Furthermore, Nevo also does not disclose performing this step “wherein the first data format does not involve the server applying cascading style sheet pre-processing to the information content, and the second data format involves the server applying cascading style sheet pre-processing to the information content.” Therefore, the combination of Halahmi and Nevo would not reasonably or logically lead one to the subject matter of claim 1. Accordingly, without conceding any other assertions made in the Office Action Applicants further submit that claims 1-5 and 8, as well as claims 6 and 7, as allowable over Halahmi and Nevo.

Claims 9-10 stand rejected over a combination of Halahmi and Beyda. Thus, another threshold issue of the patentability of claim 1 is whether Beyda makes up for Halahmi’s deficiencies by disclosing the subject matter of claim 1 that is missing from Halahmi. Applicants submit Beyda does not.

Beyda is generally directed to controlling which email messages are downloaded to a device based on predetermined screening criteria, such as message size or message sender. As far as Applicants can determine, Beyda is silent with respect to converting or transforming information content at a server, as well as the use of CSS during this transformation. Thus, like Nevo, Beyda does not disclose the step of “determining whether to transform the information content at the server from the first data format to the second data format.” Furthermore, also like Nevo, Beyda also does not disclose performing this step “wherein the first data format does not involve the server applying cascading style sheet pre-processing to the information content, and the second data format involves the server applying cascading style sheet pre-processing to the

information content.” Therefore, Applicants submit that the combination of Halahmi and Beyda would not reasonably or logically lead one to the subject matter of claim 1. Accordingly, without conceding any other assertions made in the Office Action, Applicants further submit that claims 1-8, as well as claims 9 and 10, are allowable over Halahmi and Beyda.

4. Conclusion

If the Examiner believes that further dialog would expedite consideration of the application, the Examiner is invited to contact Applicants’ representative below at (312) 913-3361 if any questions arise or if he may be of assistance to the Examiner.

McDonnell Boehnen Hulbert and Berghoff LLP
Respectfully Submitted,

Date: December 9, 2009

By: /Michael S. Borella/
Michael S. Borella
Reg. No. 62,361